

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CR 3573/2017

Date of decision:11.07.2017

Ind Bio Sciences

.....Petitioner

v.

Jagdish Bansal

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Ms.Anjali Khosla,Advocate for the petitioner/tenant

Jaswant Singh,J,(Oral).

Tenant is in revision assailing the order dated 9.3.2017 passed by learned Appellate Authority,Chandigarh whereby mesne profits have been determined @ Rs.20,000/- per month (inclusive of admitted rent).

Learned counsel for the petitioner has argued that the determined rate is on the higher side as the reliance on lease deed relates to a premises on the front side of the market as also on the first floor,whereas the demised premises are on the second floor of a building at the backside of the market.

After hearing the learned counsel for the petitioner, no ground for interference is made out.

The lease deed relied upon qua first floor on front side of the building in the commercial market shows that rate of rent is

Rs.50,000/- per month and since the demised premises is on the second floor at the back side of the building a cut of 30,000/- has been imposed. Concededly, the tenant was inducted in the year 2009 @ Rs.7500/- per month with annual increase of 7% and on 1.7.2016 the rent being paid is at the rate of Rs.11,255/-. Therefore, after decree of eviction on 18.7.2016, the determined rate of rent being the prevalent market rent at which the landlord would be able to let out cannot be held to be arbitrary.

Dismissed.

11.07.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No